

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-10102-JLT
)	
)	
JOHN BRUENS, MARY STEWART,)	
MELISSA VAUGHN AND)	
MARK SIROCKMAN,)	
Defendants.)	

**GOVERNMENT'S FURTHER OPPOSITION TO DEFENDANT
MARK SIROCKMAN'S MOTION FOR MODIFICATION
OF ORDER SETTING CONDITIONS OF RELEASE**

The Government has received and reviewed the defendant Mark Sirockman's Supplemental Brief In Support of his Motion for Modification of Order Setting Conditions of Release, together with exhibits, filed today. The Government reasserts its opposition and again requests the Court to deny the motion for the following reasons, which are in addition to those already asserted in its motion and at the hearing on August 23, 2006:

The defendant's filing raises more questions, rather than resolves any of the questions, raised by the Court and Pre-trial Services:

First, it is obvious from the filing that the defendant Sirockman booked the trip to Grand Cayman that is the subject of this motion on **June 2, 2006**, before filing any motion for modification of his conditions of release,¹ and, before receiving permission from the Court.

Second, after carefully evaluating the wording of the filing, the Government suspects that the defendant Sirockman may have first booked the international vacation trip after his Indictment (on April 14, 2005) and/or after the Court imposed the conditions for his release that

¹ The instant motion was filed on August 10, 2006, some two months after the trip was booked.

he seeks to modify (on May 2, 2005), given counsel's silence on the date the trip was first booked. If true, this would mean that this is the second instance post-Indictment that the defendant booked an international vacation without first receiving permission from the Court.

At a minimum, these actions indicate that the defendant grossly underestimates the seriousness of the conditions of release ordered by the Court and/or the seriousness of the criminal charges pending against him.

Wherefore, for the foregoing reasons, as well as those previously presented to the Court, the Government requests that the court deny the defendant Sirockman's Motion to Modify the Court's Order Setting Conditions of Release.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney
District of Massachusetts

By: /s/ Mary Elizabeth Carmody

MARY ELIZABETH CARMODY
SUSAN M. POSWISTILO
Assistant U.S. Attorneys
U. S. Attorney's Office
John Joseph Moakley
United States Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3290

CERTIFICATE OF SERVICE

I hereby certify that on a true copy of the above document was served upon the attorney of record for each other party via e-mail on August 24, 2006.

/s/ Mary Elizabeth Carmody

MARY ELIZABETH CARMODY
Assistant U.S. Attorney